

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 16-0115**

**NOVAK v. MARICOPA CTY**

**Appellate Case Information**

Case Filed: **4-Mar-2016**

Case Closed: **2-Feb-2017**

**Decision**

**Dept/Composition**

**Department B**

Hon. Patricia K Norris  
Hon. Samuel A Thumma  
Hon. Margaret H Downie

**Side 1. DAVID NOVAK, Plaintiff/Appellant**

**(Litigant Group) DAVID NOVAK**

• David Novak

PRO SE

**Side 2. MARICOPA COUNTY, Defendant/Appellee**

**(Litigant Group) MARICOPA COUNTY**

• Maricopa County

**Attorneys for: Defendant/Appellee**

J Randall Jue, Esq. (AZ Bar No. 14816)

**CASE STATUS**

**Feb 2, 2017.....Case Closed**

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2015-054358	Petition for Damages		Aimee L Anderson, Authoring Judge of Order		

**OPEN DUE DATE**

**Supplemental Applic for Waiver/Deferral of Fees**

**Due By:** Monday, February 13, 2017

Re: **FILED:** Notice of Court Fees and Costs Due - payment of court fees in the amount of \$280.00 or Supplemental Application for waiver or further deferral due by David Novak, Appellant on/before 02/13/2017.

**CASE DECISION**

**27-Dec-2016 MEMORANDUM DECISION**

**Margaret Downie**.....Author

**Patricia Norris**.....Concur

**Samuel Thumma**.....Concur

**Filed:** **27-Dec-2016**

**Mandate:** **02-Feb-2017**

Decision Disposition

***Affirmed***

**17 PROCEEDING ENTRIES**

- 4-Mar-2016 **FILED:** Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/05/16
- 4-Mar-2016 **FILED:** e-Record on Appeal: Instruments/Minute Entries
- 10-Mar-2016 **FILED:** Notice to Parties re: Appellant's Fee Deferred/No Appellee's Fee/Appellant's Case Management Statement/Brief Due
- 10-Mar-2016 **ORDERED:** the deferral remains in effect unless there is a change in Appellant's financial circumstances. Ruth Willingham - Author
- 31-Mar-2016 **FILED:** Case Management Statement (Appellant Pro Per)
- 23-May-2016 **FILED:** Appellant's Opening Brief (Appellant Pro Per)
- 27-Jun-2016 **FILED:** Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
- 6-Jul-2016 **FILED:** Appellant's Reply to Defendant's Answering Brief (Appellant Pro Per)
- 1-Aug-2016 **FILED:** Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
- 11-Aug-2016 **FILED:** Supplemented Superior Court e-Record with Revised Index of Record

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 16-0115****NOVAK v. MARICOPA CTY****17 PROCEEDING ENTRIES**

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|-----|-------------|---|
| 11. | 26-Sep-2016 | CLNDR: CONFERENCE, Department B, 11-16-16, COURTROOM 1.   |
| 12. | 9-Nov-2016  | ORDERED: State file a supplemental brief, not to exceed 10 pages addressing why, given the above-quoted language and Novak's discharge from probation, this case is not moot. The State shall have until 11/30/2016 at 5:00 p.m. to submit its brief. FURTHER ORDERED: Novak shall have the opportunity to respond to the State's brief in a supplemental brief of his own not to exceed 10 pages. Novak shall have until 12/19/2016 at 5:00 p.m. to submit his response. FURTHER ORDERED: vacating this case from Department B's 11/16/2016 conference calendar and taking the matter under advisement on 12/20/2016. Hon Patricia K Norris - Author |
| 13. | 30-Nov-2016 | FILED: Appellee's Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellee)  |
| 14. | 27-Dec-2016 | MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Patricia K Norris - Concur; Hon Samuel A Thumma - Concur   |
| 15. | 27-Dec-2016 | FILED: Memorandum Decision Distribution List  |
| 16. | 2-Feb-2017  | FILED: Mandate, No record returned to superior court.   |
| 17. | 2-Feb-2017  | FILED: Notice of Court Fees and Costs Due - payment of court fees in the amount of \$280.00 or Supplemental Application for waiver or further deferral due by David Novak, Appellant on/before 02/13/2017.  |